

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 09-CV-20309
HON. GEORGE CARAM STEEH

BRENDA STEPHENSON,

Defendant.

_____/

ORDER DENYING WITHOUT PREJUDICE
GOVERNMENT'S MOTION IN LIMINE TO ADMIT RULE 404(b) EVIDENCE; AND
GRANTING IN PART GOVERNMENT'S MOTION IN LIMINE
TO EXCLUDE INADMISSIBLE EVIDENCE AND IMPROPER ARGUMENT

For the reasons set forth on the record at a February 1, 2010 hearing,

IT IS ORDERED that the Government's motion in limine to admit Rule 404(b) evidence is hereby DENIED, without prejudice.

IT IS FURTHER ORDERED that the Government's motion in limine to exclude inadmissible evidence and improper argument is hereby GRANTED, IN PART, as to the exclusion of: (1) references to the criminal convictions of Government witness James Barnes; (2) references to a juvenile adjudication and the criminal convictions of complainant Veretta Burnett, EXCEPT as to Burnett's 2008 conviction for assault with intent to do great bodily harm less than murder as pertinent to the instant criminal charges; (3) cross-examination of victim Burnett's alleged past drug use which is remote in time or otherwise not relevant to the instant criminal charges; (4) evidence that complainant Burnett engaged in prostitution or exotic dancing; (5) examination of Government witnesses regarding

Robert Howard's and Jim Lant's alleged bias against defendant Stevenson without first seeking the court's approval outside the presence of the jury; (6) defense Counsel's general examination regarding defendant Stevenson's prior interview statements with respect to the Government's presentation of its case-in-chief; (7) reference to defendant Stephenson's restrictive duties since the incident; and (8) reference to defendant Stephenson's potential sentence. That part of the Government's motion to exclude reference to Government witness Brent Wilburn's alleged comments regarding the racial composition of the Highland Park Police Department is hereby WITHDRAWN.

SO ORDERED.

Dated: February 2, 2010

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on February 2, 2010, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk